

**In the
Supreme Court of Indiana**

IN THE MATTER OF)	
)	
THE HONORABLE)	
)	
JOHN F. HANLEY)	Cause No. 49S00-0703-JD-86
)	
JUDGE IN THE)	
)	
MARION SUPERIOR COURT)	

NOTICE OF THE INSTITUTION OF FORMAL PROCEEDINGS

AND

STATEMENT OF CHARGES

The Indiana Commission on Judicial Qualifications, having found probable cause to warrant formal charges of judicial misconduct, now notifies the Honorable John F. Hanley of the filing of these Charges. These Charges are brought before the Indiana Supreme Court, which, pursuant to Article 7, § 4 of the Constitution of Indiana and to Admission and Discipline Rule 25 I A, has original jurisdiction over the discipline, suspension, and removal of all judges and judicial officers of this State. The Commission charges that Judge Hanley, while in office as Judge in the Marion Superior Court and while a member of the Indiana Bar, engaged in judicial misconduct as specifically charged

below. Pursuant to Admission and Discipline Rule 25 VIII F, Judge Hanley may file a written Answer to these Charges within twenty days of service.

BACKGROUND

1. On Monday, December 4, 2006, Judge Hanley was arrested and subsequently charged in the Marion Superior Court with Operating a Motor Vehicle with an alcohol concentration equivalent (ACE) of at least .15, a Class A Misdemeanor, with Operating a Vehicle While Intoxicated, a Class C Misdemeanor, and with Public Intoxication, a Class B misdemeanor.

2. On January 26, 2007, Judge Hanley appeared before Special Judge Steve David, Boone Circuit Court, and entered a plea of guilty to the Class A Misdemeanor of Operating a Motor Vehicle with an ACE of at least .15. The State filed a motion to dismiss the two remaining charges.

3. On January 26, 2007, Judge David entered a judgment of conviction against Judge Hanley for Operating a Vehicle with an ACE of at least .15. Judge David sentenced Judge Hanley to one year in the Marion County Jail, which sentence was suspended but for one day Judge Hanley had served in jail. Judge David ordered Judge Hanley to serve a one-year probationary term, and accepted the additional terms of the plea agreement, including Judge Hanley's ninety-day driver's license suspension and his payment of fines, costs, and fees totaling \$509.50.

COMMISSION CHARGES

Count I

Incorporating the facts set out above, the Commission charges that Judge Hanley violated Canon 1A of the Code of Judicial Conduct which requires judges and judicial officers to uphold the

integrity of the judiciary and to maintain high standards of conduct.

Count II

Incorporating the facts set out above, the Commission charges that Judge Hanley violated Canon 2A of the Code of Judicial Conduct which requires judges and judicial officers to avoid impropriety at all times, to respect and comply with the law, and to act at all times in a manner promoting the public's confidence in the integrity of the judiciary.

WHEREFORE, the Commission respectfully requests that, upon the filing of Judge Hanley's Answer, the Indiana Supreme Court appoint three Masters to conduct a public hearing on the charge that Judge Hanley committed judicial misconduct as alleged, and further prays that the Supreme Court find that Judge Hanley committed misconduct and that it impose upon him the appropriate sanction.

Respectfully submitted,

DATE

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Indiana Commission on
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CERTIFICATE OF SERVICE

I certify that a copy of this "Notice of the Institution of Formal Proceedings and Statement of Charges" was sent by first class United States mail, postage pre-paid, to Judge Hanley's lawyer, Mr. Lowell A. Shroyer, 3850 South Emerson Avenue, Suite E, Indianapolis, Indiana 46203 on this _____ day of March, 2007.

DATE

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